

STAYED,TYPE I-FOIA

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-00227-RCL**

JAMES MADISON PROJECT et al v. DEPARTMENT OF JUSTICE et al

Assigned to: Judge Royce C. Lamberth
Cause: 05:552 Freedom of Information Act

Date Filed: 02/11/2016

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

JAMES MADISON PROJECT

represented by **Mark Steven Zaid**
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Plaintiff

KEN DILANIAN

represented by **Mark Steven Zaid**
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Bradley Prescott Moss
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V.

Defendant

DEPARTMENT OF JUSTICE

represented by **Kathryn L. Wyer**
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 TERMINATED: 11/16/2018

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 TERMINATED: 11/08/2016

Defendant

**CENTRAL INTELLIGENCE
 AGENCY**
 Washington, DC 20505

represented by **Kathryn L. Wyer**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Adam Christopher Siple
 (See above for address)
 TERMINATED: 11/16/2018

Kathryn Celia Davis
 (See above for address)
 TERMINATED: 11/08/2016

| Date Filed | # | Docket Text |
|------------|----------|---|
| 02/11/2016 | <u>1</u> | COMPLAINT against CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-4409909) filed by THE JAMES MADISON PROJECT, KEN DILANIAN. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Exhibit LCvr 7.1 certification, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Moss, Bradley) (Entered: 02/11/2016) |
| 02/11/2016 | | Case Assigned to Judge Royce C. Lamberth. (md) (Entered: 02/11/2016) |
| 02/12/2016 | <u>2</u> | SUMMONS (4) Issued Electronically as to CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Consent Forms)(jd) (Entered: 02/12/2016) |
| 03/02/2016 | <u>3</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/18/2016. Answer due for ALL FEDERAL DEFENDANTS by 3/19/2016. (Attachments: # <u>1</u> Exhibit Proof of Service – USADC)(Moss, Bradley) (Entered: 03/02/2016) |
| 03/02/2016 | <u>4</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 2/18/2016 (Attachments: # <u>1</u> Exhibit Proof of Service – DOJ)(Moss, Bradley) (Entered: 03/02/2016) |
| 03/10/2016 | <u>5</u> | MOTION for Leave to File <i>First Amended Complaint</i> by JAMES MADISON PROJECT, KEN DILANIAN (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Text of Proposed Order)(Moss, Bradley) (Entered: 03/10/2016) |
| 03/14/2016 | <u>6</u> | ORDER; granting <u>5</u> Motion for Leave to File First Amended Complaint, Signed by Judge Royce C. Lamberth on 3/10/2016. (hs) (Entered: 03/14/2016) |
| 03/14/2016 | <u>7</u> | First AMENDED COMPLAINT against CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE filed by JAMES MADISON PROJECT, KEN DILANIAN.(zrdj) (Entered: 03/14/2016) |

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| 03/14/2016 | <u>8</u> | NOTICE of Appearance by Kathryn Celia Davis on behalf of CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Davis, Kathryn) (Entered: 03/14/2016) |
| 03/21/2016 | <u>9</u> | Unopposed MOTION for Extension of Time to <i>Respond to Plaintiffs' First Amended Complaint</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Kathryn) (Entered: 03/21/2016) |
| 03/24/2016 | <u>10</u> | ORDER granting <u>9</u> Motion for Extension of Time. Signed by Judge Royce C. Lamberth on March 24, 2016.(lrcrl3) (Entered: 03/24/2016) |
| 04/08/2016 | <u>11</u> | ANSWER to <u>7</u> Amended Complaint by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE. Related document: <u>7</u> Amended Complaint filed by KEN DILANIAN, JAMES MADISON PROJECT. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14)(Davis, Kathryn) (Entered: 04/08/2016) |
| 04/18/2016 | <u>12</u> | ORDER: An answer having been filed herein in this case brought under the Freedom of Information Act, the defendants shall file any dispositive motions within 10 days of this date, or such time as the Court allows upon proper motion. Signed by Judge Royce C. Lamberth on 4/15/2016. (ad) (Entered: 04/18/2016) |
| 04/26/2016 | <u>13</u> | Unopposed MOTION to Stay <i>Deadline to File Dispositive Motion and Consent Motion to Set Deadline for Submission of Joint Proposed Scheduling Order</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Kathryn) (Entered: 04/26/2016) |
| 04/28/2016 | <u>14</u> | ORDER granting <u>13</u> Unopposed Motion to Stay: Defendants' deadline to file any dispositive motion is stayed until such time as the Court enters a scheduling order governing the proceedings in this matter, including deadlines for briefing any dispositive motions. It is further ORDERED that the parties must file no later than 30 days from the date of this order, a joint proposed scheduling order, including deadlines for briefing any dispositive motions. Signed by Judge Royce C. Lamberth on 4/27/2016. (ad) (Entered: 04/28/2016) |
| 05/27/2016 | <u>15</u> | Unopposed MOTION for Extension of Time to <i>Submit Joint Proposed Scheduling Order</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Kathryn) (Entered: 05/27/2016) |
| 06/03/2016 | <u>16</u> | ORDER granting <u>15</u> Unopposed Motion for Extension of Time to Submit Joint Proposed Scheduling Order; it is hereby ORDERED that the parties' deadline to file a joint proposed scheduling order, including deadlines for briefing any dispositive motions, is extended by 30 days until June 30, 2016. Signed by Judge Royce C. Lamberth on 6/1/2016. (tg) (Entered: 06/03/2016) |
| 06/30/2016 | <u>17</u> | Second MOTION for Extension of Time to <i>Submit Joint Proposed Scheduling Order</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Kathryn) (Entered: 06/30/2016) |
| 06/30/2016 | <u>18</u> | Memorandum in opposition to re <u>17</u> Second MOTION for Extension of Time to <i>Submit Joint Proposed Scheduling Order</i> filed by KEN DILANIAN, JAMES MADISON PROJECT. (Attachments: # <u>1</u> Text of Proposed Order)(Moss, Bradley) (Entered: 06/30/2016) |
| 07/01/2016 | <u>19</u> | REPLY to opposition to motion re <u>17</u> Second MOTION for Extension of Time to <i>Submit Joint Proposed Scheduling Order</i> filed by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE. (Davis, Kathryn) (Entered: 07/01/2016) |
| 07/05/2016 | <u>20</u> | ORDER granting <u>17</u> Motion for Extension of Time to Submit Joint Proposed Scheduling Order. The parties' deadline to file a joint if possible, separately if no agreement can be reached, proposed scheduling order, including deadlines for briefing any dispositive motions, is extended by 60 days until August 29, 2016. Signed by Judge Royce C. Lamberth on 7/5/2016. (tg) (Entered: 07/05/2016) |
| 08/29/2016 | <u>21</u> | NOTICE of Filing <i>Joint Proposed Scheduling Order</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Davis, Kathryn) (Entered: 08/29/2016) |

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| 09/09/2016 | <u>22</u> | ORDER: It is hereby ORDERED that the proceedings in this matter shall be governed by the following schedule: Defendant EOUSA will produce to Plaintiffs all responsive, non-exempt records that originated with EOUSA by October 31, 2016; Defendant CIA will produce to Plaintiffs all responsive, non-exempt records by February 28, 2017; Defendant FBI will produce to Plaintiffs all responsive, non-exempt records by February 28, 2017; Defendants will make rolling productions of documents on a monthly basis, beginning for Defendant EOUSA on September 29, 2016 and for Defendants CIA and FBI on November 15, 2016; and the parties will file a Joint Status Report no later than 60 days from the date of this order to update the Court about the production of records in this case, and to submit any other further recommendations regarding the schedule in this matter, if appropriate. Signed by Judge Royce C. Lamberth on 9/08/2016. (ad) (Entered: 09/09/2016) |
| 09/09/2016 | | Set/Reset Deadlines: Defendant EOUSA will produce to Plaintiffs all responsive, non-exempt records that originated with EOUSA by 10/31/2016; Defendant CIA will produce to Plaintiffs all responsive, non-exempt records by 2/28/2017; Defendant FBI will produce to Plaintiffs all responsive, non-exempt records by 2/28/2017; Defendants will make rolling productions of documents on a monthly basis, beginning for Defendant EOUSA on 9/29/2016 and for Defendants CIA and FBI on 11/15/2016. (ad) (Entered: 09/09/2016) |
| 11/08/2016 | <u>23</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Adam Christopher Siple on behalf of All Defendants Substituting for attorney Kathryn C. Davis (Siple, Adam) (Entered: 11/08/2016) |
| 11/08/2016 | <u>24</u> | Joint STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE. (Siple, Adam) (Entered: 11/08/2016) |
| 11/27/2017 | <u>25</u> | STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE. (Siple, Adam) (Entered: 11/27/2017) |
| 11/27/2017 | <u>26</u> | NOTICE of Appearance by Mark Steven Zaid on behalf of All Plaintiffs (Zaid, Mark) (Entered: 11/27/2017) |
| 12/22/2017 | <u>27</u> | ORDER adopting scheduling order outlined in <u>25</u> Status Report. Signed by Judge Royce C. Lamberth on 12/22/17. (lsj) (Entered: 12/22/2017) |
| 01/19/2018 | <u>28</u> | Consent MOTION for Extension of Time to <i>Motion for Summary Judgment</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Siple, Adam) (Entered: 01/19/2018) |
| 01/24/2018 | <u>29</u> | ORDER granting <u>28</u> Motion for Extension of Time to. Signed by Judge Royce C. Lamberth on 1/24/2018. (lcrcl3) (Entered: 01/24/2018) |
| 01/25/2018 | | Set/Reset Deadlines: Summary Judgment motions due by 2/28/2018. Response to Motion for Summary Judgment due by 3/28/2018. Reply to Motion for Summary Judgment due by 4/11/2018. Replies due by 4/25/2018. (lsj) (Entered: 01/25/2018) |
| 02/20/2018 | <u>30</u> | Consent MOTION for Extension of Time to <i>file Motion for Summary Judgment</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Siple, Adam) (Entered: 02/20/2018) |
| 02/28/2018 | <u>31</u> | ORDER granting <u>30</u> Motion for Extension of Time to file Motion for Summary Judgment. Signed by Judge Royce C. Lamberth on 2/27/18. (lsj) (Entered: 02/28/2018) |
| 03/13/2018 | <u>32</u> | Consent MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Siple, Adam) (Entered: 03/13/2018) |
| 04/03/2018 | <u>33</u> | ORDER granting <u>32</u> Motion for Extension of Time to File Motion for Summary Judgment. Summary Judgment motions due by 4/20/2018. Response to Motion for Summary Judgment due by 5/18/2018. Reply to Motion for Summary Judgment due by 6/15/2018. Replies due by 6/29/2018. Signed by Judge Royce C. Lamberth on 3/30/18. (lsj) (Entered: 04/03/2018) |
| 04/17/2018 | <u>34</u> | Consent MOTION for Extension of Time to <i>file for Summary Judgment</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Siple, Adam) (Entered: 04/17/2018) |

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| 04/19/2018 | <u>35</u> | ORDER granting <u>34</u> Motion for Extension of Time to file Summary Judgment. Signed by Judge Royce C. Lamberth on 4/19/2018. (lcrl3,) Modified on 4/20/2018 (zlsj). (Entered: 04/19/2018) |
| 04/20/2018 | | Set/Reset Deadlines: Summary Judgment motions due by 5/18/2018. Response to Motion for Summary Judgment due by 6/15/2018. Reply to Motion for Summary Judgment due by 7/13/2018. Plaintiff's Replies due by 8/10/2018. (lsj) (Entered: 04/20/2018) |
| 05/17/2018 | <u>36</u> | Consent MOTION for Extension of Time to <i>file Summary Judgment</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Siple, Adam) (Entered: 05/17/2018) |
| 05/18/2018 | <u>37</u> | ORDER granting <u>36</u> Motion for Extension of Time to File Motion for Summary Judgment. Signed by Judge Royce C. Lamberth on 5/17/18. (lsj) (Entered: 05/21/2018) |
| 06/06/2018 | <u>38</u> | Consent MOTION for Extension of Time to by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Siple, Adam) (Entered: 06/06/2018) |
| 06/21/2018 | <u>39</u> | ORDER granting <u>38</u> Motion for Extension of Time to File Motion for Summary Judgment. Signed by Judge Royce C. Lamberth on 6/20/18. (lsj) (Entered: 06/21/2018) |
| 06/21/2018 | <u>40</u> | Consent MOTION to Stay , by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Siple, Adam) Modified on 6/25/2018 to correct docket event/text (jf). (Entered: 06/21/2018) |
| 09/21/2018 | <u>41</u> | STATUS REPORT by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE. (Siple, Adam) (Entered: 09/21/2018) |
| 10/05/2018 | <u>42</u> | ORDER granting <u>40</u> Motion to Stay nunc pro tunc. Signed by Judge Royce C. Lamberth on 10/05/2018. (lcrl3) (Entered: 10/05/2018) |
| 10/05/2018 | <u>43</u> | SCHEDULING ORDER: Defendants shall file their motion by 10/19/2018. Plaintiffs shall file their opposition or cross-motion by 11/16/2018. Defendants shall file their reply or opposition by 12/14/2018. Plaintiffs shall file any reply by 1/11/2019. Signed by Judge Royce C. Lamberth on 10/05/2018. (lcrl3) (Entered: 10/05/2018) |
| 10/09/2018 | | Set/Reset Deadlines: Summary Judgment motions due by 10/19/2018. Response to Motion for Summary Judgment due by 11/16/2018. Reply to Motion for Summary Judgment due by 12/14/2018. Replies due by 1/11/2019. (lsj) (Entered: 10/09/2018) |
| 10/19/2018 | <u>44</u> | Consent MOTION for Extension of Time to <i>Summary Judgment</i> by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Siple, Adam) (Entered: 10/19/2018) |
| 11/16/2018 | <u>45</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Kathryn L. Wyer on behalf of CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE Substituting for attorney Adam C. Siple (Wyer, Kathryn) (Entered: 11/16/2018) |
| 11/16/2018 | <u>46</u> | MOTION for Summary Judgment by CENTRAL INTELLIGENCE AGENCY, DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of Patrick N. Findlay & Exhibits A-F, # <u>4</u> Declaration of Princina Stone, # <u>5</u> Stone Exhibit A (EOUSA Vaughn Index), # <u>6</u> Stone Exhibits B-I, # <u>7</u> Declaration of Tammy R. Zimmie, # <u>8</u> Declaration of Timothy A. Ziese, # <u>9</u> Declaration of David M. Hardy & Exhibits A-G, # <u>10</u> Declaration of Antoinette B. Shiner, # <u>11</u> Shiner Exhibit A (CIA Vaughn Index), # <u>12</u> Shiner Exhibits B-D, # <u>13</u> Text of Proposed Order)(Wyer, Kathryn) (Entered: 11/16/2018) |
| 11/26/2018 | <u>47</u> | ORDER granting Motion for Extension of Time <u>44</u> nunc pro tunc. Signed by Judge Royce C. Lamberth on 11/21/2018. (lcrl3) (Main Document 47 replaced on 11/26/2018) (zlsj). (Entered: 11/26/2018) |
| 11/26/2018 | | Set/Reset Deadlines: Plaintiffs' Opposition to Motion for Summary Judgment due by 12/14/2018. Defendants' Reply to Motion for Summary Judgment due by 1/18/2019. Plaintiff's reply due by 2/15/2019. (lsj) (Entered: 11/26/2018) |